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BUREAU OF LAND MANAGEMENT  
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In Reply Refer To:  
6500 (CO-930) P

July 15, 2013

EMS TRANSMISSION 07/15/2013  
Instruction Memorandum No. CO-2013-033  
Expires: 09/30/2014

To: District Managers and Field Managers

From: State Director

Subject: Gunnison Sage-grouse Habitat Management Policy on Bureau of Land  
Management-Administered Lands in Colorado

**Program Area:** All Programs

**Purpose:** This Instruction Memorandum (IM) provides guidance to the Bureau of Land Management (BLM) Colorado field offices (FO) on Gunnison Sage-grouse (GUSG) habitat management for proposed activities and resource management planning. This guidance:

- Recognizes the U.S. Fish and Wildlife Service's (FWS) recent Proposed Listing of the GUSG as endangered (78 FR 2486) under the Endangered Species Act (ESA) (January 11, 2013) posted at <http://www.fws.gov/policy/library/2013/2012-31667.pdf>.
- Provides updated direction regarding management and ongoing planning actions in GUSG proposed critical habitat.
- Ensures continued coordination with the FWS, Colorado Parks and Wildlife (CPW) and other agency partners regarding implementation, updates and project prioritization for GUSG conservation and strategies identified in the Range-wide GUSG Conservation Plan (RCP) and local GUSG population conservation plans posted at: <http://wildlife.state.co.us/WildlifeSpecies/RecoveryConservationPlans/Pages/RecoveryConservationPlans.aspx>.
- Is not intended to preclude developing or using additional conservation measures or strategies deemed necessary to maintain or enhance local GUSG habitat and populations.

- Should the final FWS determination be to list GUSG under the ESA, BLM Colorado will review the implementation of this policy in accordance with any Recovery Planning schedules to determine the effectiveness of the guidance and make changes as necessary.

**Policy/Action:** The BLM will continue to apply conservation measures to manage and conserve GUSG and their habitat, and consider the FWS advisory recommendations for minimizing or avoiding adverse effects to GUSG or their proposed critical habitat. BLM Colorado's policy is to manage GUSG seasonal habitats and maintain habitat connectivity to support sustainable GUSG populations and/or GUSG population objectives as determined in coordination with CPW and the FWS. This policy is consistent with strategies outlined in the GUSG RCP. This policy is consistent with the BLM National Sage-grouse Habitat Conservation Strategy (USDI BLM 2004a), CO IM 2010-028 (GUSG & Greater Sage-grouse [GRSG] habitat management), WO IM 2010-071 (energy), WO IM 2010-022 (structures), WO IM 2013-128 (fire), CO IM 2008-044 (fire), WO IM 2004-110 (leasing) and CO IM 2005-038 (GUSG RCP). This policy is structured to incorporate adaptive management processes to achieve habitat conservation, restoration and enhancement goals. This policy will be reviewed and may be updated following the final FWS listing decision, if needed.

For purposes of this IM, the BLM management actions and conservation measures apply to the FWS "proposed occupied critical habitat" (hereafter referred to as occupied) for GUSG in Colorado as described below, unless stated otherwise. Within the Gunnison Basin, occupied habitat is further delineated as Tier 1 (priority) or Tier 2 habitats using a habitat prioritization tool, developed locally in conjunction with Gunnison County, FWS, CPW and other agencies. This policy applies to all activities and programs authorized and/or occurring on BLM-administered lands, as well as federal mineral estate in Colorado.

### **GUSG Habitat Mapping**

As part of the Proposed listing decision, the FWS proposed critical habitat for GUSG (78 FR 2540) posted at <http://www.fws.gov/policy/library/2013/2012-31666.pdf>. The proposed critical habitat map includes occupied GUSG habitat (as previously mapped by CPW, 2004, as updated), and proposed unoccupied habitat. The FWS compiled proposed unoccupied critical habitat using CPW mapping from the RCP (*potentially suitable habitat* –defined as in need of restoration, but capable of supporting sagebrush communities, and *vacant/unknown habitat* –defined as suitable habitat with no documentation of occupancy) and additional areas thought necessary for GUSG conservation based on 1) proximity to occupied habitat, 2) ability to provide connectivity, and 3) size of area, where sagebrush is a primary plant community (78 FR 2552). The final decision on whether to designate critical habitat for GUSG is expected around the same time as the final listing decision (anticipated September 30, 2013).

Should it be necessary, BLM Colorado will continue to work with CPW and other partners to collect site-specific GUSG habitat data. GUSG habitat data includes seasonal habitat mapping (nesting, brood rearing and winter), and/or GUSG habitat condition assessments as documented in Land Health Assessments (LHA). Habitat condition assessments reflect progress towards meeting GUSG habitat objectives set forth in the RCP or local conservation plans, as determined

through the Habitat Assessment Framework (HAF) monitoring process or other BLM-approved habitat monitoring methods.

BLM Colorado will cooperate in developing and implementing a range-wide GUSG Recovery Plan, per FWS discretion, if the species is listed, per BLM 6840 manual direction on special status species management. This participation includes, but is not limited to, representation on the Range-wide Steering Committee (RSC) and local GUSG population working groups.

### **Land Use Planning**

BLM Colorado will ensure all new Resource Management Plan (RMP) amendments or revisions contain language consistent with recent Interior Board of Land Appeals (IBLA) decisions (Yates Petroleum Corp., 176 IBLA 144 [2008] and William P. Maycock, 177 IBLA 1 [2009]) posted at: <http://www.oha.doi.gov:8080/index.html>. This gives BLM discretion to modify surface operations to add specific mitigation measures supported by site-specific National Environmental Policy Act of 1969 (NEPA) analysis undertaken during the development phase on existing leases.

In RMP revisions/amendments, BLM Colorado will analyze at least one alternative that excludes fluid mineral (oil and gas or geothermal) leasing, energy development and rights-of-way (ROW) in GUSG occupied habitat, when needed to maintain sustainable GUSG populations. The RMP revision/amendment should address the land allocations following expiration of oil and gas and geothermal leases with a full range of alternatives, including a scenario where the lands will not be re-offered for lease in occupied GUSG areas.

BLM Colorado will continue to defer fluid mineral lease nominations in GUSG occupied habitat. Leases will be deferred until management prescriptions and strategies outlined in the RCP, local GUSG population conservation plans, and/or potential impacts to local GUSG populations as summarized in recent/existing research studies or conservation summaries based on research such as the GRSG National Technical Team (NTT) report, have been considered and evaluated through appropriate NEPA analysis. Such analyses must consider the cumulative impact of timing limitations and other mitigation measures. Dependent upon the outcome of this analysis, RMP(s) may be updated through revision, amendments or maintenance actions.

### **Gunnison Basin Candidate Conservation Agreement**

The Gunnison FO in conjunction with the FWS, CPW, National Park Service (NPS), U.S. Forest Service (USFS), Natural Resources Conservation Service (NRCS) and multiple stakeholders developed a Candidate Conservation Agreement (CCA) to guide management of GUSG on public lands in the Gunnison Basin. The CCA focuses on managing key threats on federal lands identified by FWS for this population: grazing, recreation, roads and transmission lines. Actions that fall under the purview of the CCA will follow CCA direction in the Basin. All other actions will consider conservation measures identified in the RCP and this IM as the primary guidance for management.

## All Program Areas

FOs will:

- Work within multiple programs including recreation, hazardous fuels, fire management, range and wildlife to accomplish GUSG habitat conservation. When permitting or authorizing activities, FOs will consider, analyze and incorporate appropriate GUSG management strategies and best management practices (BMPs) through NEPA analysis or other regulatory processes. FOs will continue to implement appropriate BMPs through the appropriate permitting process in all program areas. BMPs such as those identified at the local, state or national level for oil and gas development in GUSG habitat (see also RCP, Appendix L) fire (WO-IM 2013-128), and grazing guidelines (RCP 2005).
- Continue coordination with the FWS and CPW on appropriate site-specific habitat or population-level management strategies (RCP 2005). This will include, but is not limited to, considering, prioritizing and implementing management prescriptions and strategies outlined in the RCP, GRSNG NTT and local GUSG conservation plans, as well as all subsequent updates as appropriate.
- Implement a 0.6-mile no surface disturbance/ no occupancy buffer radius (RCP 2005) around all active leks for project-level implementation such as fences or sagebrush habitat treatments. Any sagebrush removal or treatment should be prohibited or limited within this buffer, unless implemented to maintain or enhance the lek (RCP, Appendix I).
- Per RCP (Appendix I), all sagebrush habitat within a four-mile radius of a lek will be managed as GUSG breeding habitat (lekking, nesting, early brood rearing). Breeding habitat will be managed to minimize disturbance to GUSG during critical seasonal time periods and minimize the footprint of any project, habitat fragmentation across the landscape, and cumulative effects on the associated population (see RCP, Appendix L). The following specific disturbance guidelines (see RCP, Appendix I) should be analyzed and applied to all ongoing program authorizations where appropriate:
  - Prohibit surface disturbing activities and disruptive activities within four miles of active leks from March 1 through June 30 (RCP 2005).
  - Avoid surface disturbance within mapped winter habitat for GUSG (if not mapped, within four miles of active leks); if surface disturbance cannot be avoided, prohibit said activity from December 1 through March 15 (RCP 2005).
- Include requirements to new Special Recreation Permits (SRP) to avoid disturbing leks during the breeding season. SRPs for hunting (other wildlife species), bird watching, and other activities should include appropriate timing restrictions to minimize disturbance to GUSG during critical seasonal periods such as the breeding, late brood rearing and winter-use periods.
- Evaluate the need, and implement where appropriate, seasonal or permanent road or trail closures in GUSG-occupied habitat through travel management planning and

associated NEPA analysis for BLM authorized routes. Avoid or limit construction of new roads or ROWs within four miles of active leks.

- Analyze the impacts to GUSG when renewable energy (e.g., wind, solar, biomass) development and associated infrastructure (e.g., transmission lines) is proposed in or adjacent to sagebrush habitat, and avoid GUSG-occupied habitat where warranted. Manage areas within four miles of active leks as ROW avoidance areas in GUSG-occupied habitat.
- Avoid routing above-ground distribution lines within GUSG occupied habitats.
- In response to a Plan of Operations, evaluate the impacts of non-discretionary activities managed under 43 CFR 3809 (those actions authorized under the 1872 mining law) on local GUSG populations, and clearly describe those effects that cannot be mitigated through the regulatory process. Through the NEPA process, analyze and mitigate potential impacts of discretionary mining activities approved under 43 CFR 3400 (such as coal management), 43 CFR 3500 (non-energy leasable materials), and exploration or extraction of other solid minerals wherever possible.
- Incorporate adequate reclamation standards designed to re-establish suitable GUSG seasonal habitats (RCP 2005, Appendix H) to all surface-disturbing activities within GUSG occupied and unoccupied critical habitat. Incorporate native seed mixtures in restoration efforts. Wherever possible, native seed mixtures should include a minimum of three native grasses, two native forbs and one native sagebrush species. Use desired non-persistent, non-native vegetation in rehabilitation only where other options have been unsuccessful.
- Monitor all restoration activities for success in meeting short- and long-term vegetation objectives and reclamation standards, including potential weed infestations. Conduct follow-up treatments to eliminate weeds as identified through monitoring. If vegetation objectives are not being met, adjust restoration actions accordingly to improve success of achieving desired GUSG habitat objectives.

### **Proper Livestock Grazing**

Continue to evaluate and implement livestock grazing management practices consistent with achieving GUSG seasonal habitat objectives during allotment permit renewals and associated NEPA analysis, or as identified through LHAs. GUSG habitat objectives identified in the RCP (Appendix H) should be considered the range-wide standards for managing GUSG seasonal habitats. Habitat objectives may be adjusted if more localized habitat structural data is available in coordination with CPW and the FWS on a population-by-population basis. GUSG habitat objectives should always be managed with consideration to ecological site potential.

Use the BLM-approved monitoring techniques in association with the HAF process to assess and monitor long term GUSG habitat conditions and trend in conjunction with authorized grazing management.

## **Wildland Fire and Fuels Management**

While GUSG protection and habitat enhancement is a high priority for the fire management program, firefighter and public safety is the first priority on every fire. No natural resource is worth human life. Local agency administrators and resource advisors will convey resource protection priorities to incident commanders. Incident Commanders will then develop and establish incident objectives, strategies and operational tactics that ensure firefighter and public safety (posted at: [https://www.nifc.gov/policies/policies\\_documents/GIFWFMP.pdf](https://www.nifc.gov/policies/policies_documents/GIFWFMP.pdf)).

The strategy for all unplanned ignitions in GUSG proposed occupied critical habitat will be Fire suppression. Fire suppression strategies and tactics used on an incident will be in compliance with RMP and Fire Management Plan (FMP) direction. Unplanned ignitions in GUSG occupied critical habitat will not be managed to meet resource objectives until a final FWS listing decision is made and a programmatic consultation can be completed, if warranted.

Discretionary actions under the fire and fuels management program include: unplanned ignitions managed to meet resource objectives; planned ignitions (i.e. prescribed fires); and mechanical, biological and chemical vegetation treatments to reduce hazardous fuels. When these discretionary actions are expected to occur in occupied or unoccupied critical habitat, they must occur under conditions analyzed to be acceptable to meet GUSG resource objectives. The NEPA analysis for FMPs and project plans for these discretionary actions address achieving GUSG habitat objectives and must undergo appropriate consultation with the FWS following the final GUSG listing decision under ESA should the FWS make a final determination to list GUSG. These decisions must be documented in the Wildland Fire Decision Support System.

## **Climate Change/Rapid Ecoregional Assessments (REA)**

The proposed GUSG listing package acknowledges the potential for climate change to alter the distribution of native vegetation, increase the potential for invasive species introduction and increase fire frequencies and intensities, all of which may have long-term impacts to key GUSG seasonal habitats across the landscape.

- BLM Colorado State Office (COSO) will continue to develop a statewide Climate Change Adaptation Strategy, which will include a vulnerability assessment of GUSG.
- FOs will implement climate change adaptation strategies developed through the statewide effort, as well as those identified in REAs or other assessment documents as appropriate.
- BLM Colorado will incorporate landscape-level data and adaptive management strategies using information identified through the REAs or other assessments to conserve and restore sagebrush habitats.

## Processing Fluid Mineral Leases in GUSG Habitat in Colorado

### New Plans/Revisions/Amendments

#### *New Nominated Leases*

In accordance with WO IM 2004-110, Change 1, “the State Directors have discretion to temporarily defer leasing on specific tracts of land based on information under review during planning.” Since the RCP (2005) was signed, BLM Colorado’s policy has been to defer leasing of occupied GUSG habitats until FO Plan Revisions or Amendments have been completed, as these documents detail significant new information on GUSG not addressed in our current plans. The BLM defers leasing in occupied habitat to avoid affecting decisions related to future management decisions. Deferrals should be documented through leasing NEPA analysis.

The BLM will continue to apply the CO-34 Endangered Species Act Section 7 Consultation Lease Notice to all new leases. Additional specific mitigation measures supported by site-specific NEPA analysis may be applied during the development phase to address potential impacts to GUSG species or critical habitat. In accordance with standard lease terms and conditions, existing leases are subject to applicable laws, including ESA, and therefore, may be required to adopt conditions of approval that would reduce adverse impacts to the species consistent with site-specific environmental analysis and ESA conference or consultation.

BLM Colorado FOs should consider and evaluate GUSG habitat conservation measures related to timing restrictions, buffer distances, percentages of allowable surface-disturbing activities, noise and desired density levels or other development constraints consistent with the GUSG RCP (including subsequent updates), current peer reviewed sage-grouse research, conservation summaries based on research such as the NTT Report for GRSG or as developed in conjunction with CPW and the FWS to meet local population objectives, in RMP revisions or amendments. At a minimum, FOs will analyze and implement conservation measures that prohibit or limit energy and mineral development within four miles of active leks, and minimize surface disturbance and disruptive activities in all occupied habitat where appropriate.

Development constraints may vary by FO when those constraints are based on locally-collected scientific data or local habitat conditions, and are clearly supported and outlined in the RMP NEPA analysis. Those prescriptive measures carried forward through the selection of the preferred alternative in RMP revisions or as amended into existing RMPs, will be incorporated into all new leases within occupied or other GUSG habitats as outlined in the planning document. Where RMPs have been approved, appropriate stipulations will be added to new leases as described above.

Lands determined to be available for lease and development within occupied GUSG habitat, and under what constraints, will be described in final Plan Revisions/Amendments. Below is a Lease Notice that should be applied to all parcels offered for sale within occupied GUSG habitat:

#### ***Lease Notice***

*Gunnison Sage-grouse Habitat: The lease may in part, or in total, contain important Gunnison Sage-grouse habitats, as identified by the BLM, either currently or prospectively. The operator may be required to implement specific measures to reduce*

*impacts of oil and gas or geothermal operations on Gunnison Sage-grouse populations and habitat quality. Such measures shall be developed during the Application for Permit to Drill (APD) on-site and environmental review process, or during the environmental review process for sundry notices and associated rights-of-way, and will be consistent with lease rights granted.*

### **Existing Leases**

For authorization of any development actions (for individual APDs or where an operator proposes a Master Development Plan) where there are valid existing rights, FOs must coordinate with the FWS (consistent with requirements under ESA), CPW (consistent with COGCC MOU) (Attachment 1) and industry on management actions designed to minimize impacts to GUSG or their habitat, including Conditions of Approval (COA) that will be applied to future APDs. The BLM must ensure that any proposed COAs or mitigation measures are consistent with the RMP, are adequately supported by site-specific NEPA analysis and do not violate any lease rights (see Yates Petroleum Corp., 176 IBLA 144 [2008]).

Offices are encouraged to work with the FWS, CPW and industry in advance of planning to develop potential strategies in a particular geographic area. This pre-planning may include conservation strategies such as siting a project in lower quality habitat, clustering activities to minimize fragmentation of existing habitat patches, or noise mitigation.

This policy does not preclude developing and immediately implementing new mitigation or conservation measures necessary to reduce activity/project impacts to GUSG or their habitats, provided this mitigation is in accordance with existing RMPs and lease rights granted. Any new measures applied for GUSG will be coordinated with the FWS and CPW. FOs will work with project proponents, the state, the FWS and private landowners when appropriate to implement direct avoidance and minimization measures (e.g. relocating disturbance, timing restrictions, etc.) and use COAs. FOs must ensure any recommended COAs or operator-negotiated stipulations are supported by appropriate analysis through NEPA during the APD, POD or use-authorization approval process. Biologists are encouraged to reference existing analysis or accepted recommendations from national, range-wide, or local conservation plans; existing or new peer reviewed research studies; or other scientific reports within the NEPA analysis, rather than restate those analyses.

In accordance with Fluid Mineral Resources Handbook (H-1624-1, 2013): The federal government retains certain rights when issuing an oil and gas lease. While the BLM may not unilaterally add a new stipulation to an existing lease that it has already issued, the BLM can subject development of existing leases to reasonable conditions, as necessary, through the application of COAs at the time of permitting. The new constraints must be consistent with the applicable land use plan and not in conflict with rights granted to the holder under the lease. The IBLA has made it clear when making a decision regarding discrete surface-disturbing oil and gas development activities following site-specific environmental review, the BLM has the authority to impose reasonable protective measures not otherwise provided for in lease stipulations to minimize adverse impacts on other resource values. See 30 U.S.C. §226(g); 43 CFR 3101.1-2. See Yates Petroleum Corp., 176 IBLA 144 (2008); National Wildlife Federation, 169 IBLA 146, 164 (2006). If the existing lease is in occupied GUSG habitat, and the plan does not contain



mitigation, FOs should request the operator to modify existing stipulations or add an additional stipulation to mitigate the impacts to GUSG habitat. When applicable under 43 CFR 3101.1-4, if, after the lease is issued, the authorized officer determines that a modification of a lease term or stipulations is substantial, the modification shall be subject to public review for at least 30 days. If the operator refuses to sign a stipulation modification or to add a new stipulation, the BLM will need to carefully evaluate whether the project can proceed based on the level of impacts identified in the site-specific NEPA analysis and the BLM's obligation to prevent unnecessary or undue degradation [43 USC 1732(b)].

Where authorized in the applicable RMP, exceptions to lease stipulations or COAs in sagebrush habitats will be considered on a case-by-case basis and coordinated with the FWS and CPW before approval. Any exception authorized in occupied GUSG areas will require District Manager review.

### **Sagebrush Habitat Improvement/Restoration Projects**

All GUSG habitat improvement projects should clearly articulate and document the need for the project to achieve desired habitat objectives (RCP 2005, Appendix H). Documentation should include current habitat condition assessments and specific treatment objectives as they relate to GUSG habitat.

All vegetation treatments in sagebrush habitat should consider and incorporate seasonal GUSG habitat needs into project design, analysis and approval when those projects are completed to meet other program area objectives. Recommendations for sagebrush removal or treatment projects within seasonal habitats are located in the RCP, Appendix I (pg. 6-7).

All habitat treatments and management prescriptions in GUSG habitat should incorporate appropriate effectiveness monitoring to determine one or more of the following: 1) the effectiveness in meeting site-specific GUSG habitat objectives, 2) the long-term impacts to local GUSG populations, and 3) meeting specific project or management objectives as they relate to GUSG or their habitat. Monitoring objectives will be coordinated and/or conducted in conjunction with CPW, and will use BLM-approved inventory or monitoring methods.

Livestock grazing will be deferred for all GUSG habitat improvement or restoration treatments for a minimum of two growing seasons to ensure establishment and persistence of desired vegetation, unless analysis or management objectives recommend otherwise.

The BLM will prioritize all GUSG restoration efforts in Proposed Unoccupied Critical Habitat in conjunction with the FWS and CPW. Priorities will reflect ground truthing of site capability, likelihood of success, planning and design, monitoring needs, and prioritization by population status and need.

BLM Colorado will continue to support, coordinate with, and participate in GUSG conservation activities that are led or initiated by the FWS, CPW, local workgroups or other partnerships. Such activities may include, but are not limited to, ongoing GUSG research studies, habitat

mapping and modeling efforts, conservation planning and project implementation, and population monitoring.

### **Conference and Future Consultation with FWS**

The ESA requires the BLM to conference on all management actions that may result in Jeopardy of a proposed species. Since the BLM is generally not in a position to determine Jeopardy, the BLM policy (6840 manual) is to confer on all discretionary actions that May Affect, or are Likely to Adversely Affect (LAA). Per the FWS Guidance for Conferencing (Attachment 2), the FWS has agreed to continue ongoing discussions and/or conferencing for all Planning Revision/Amendment efforts and for the Gunnison Basin CCA. The BLM has shared a list of ongoing planning efforts with FWS to help plan their interim workload with the BLM.

The FWS will not be conferencing on individual projects that may have adverse effects to the species or proposed critical habitat, but are not likely to reach the level of Jeopardy to the species.

Individual projects with an LAA determination will be coordinated through COSO to support continuing ongoing actions. This will include providing feedback to the field on appropriate conservation measures and levels of impacts.

FOs will work with the COSO to prioritize and streamline future consultation needs if the species is listed and help develop a schedule for submitting priority projects/activities/programmatic Biological Assessments (BA) to the FWS for consultation to manage reasonable workloads for both agencies. This will include assisting the FOs in identifying and grouping similar actions (existing and future) that may be assembled and analyzed in programmatic consultation documents or covered by project screens for one or more GUSG populations.

### **Adaptive Management**

For purposes of this IM, adaptive management is used in two broad contexts:

1. Incorporating applicable new research or guidance into GUSG management.
2. Adjusting management to achieve specific GUSG resource objectives as determined through monitoring (DOI Technical Guide for Adaptive Management, Williams et.al 2007 (<http://www.doi.gov/initiatives/AdaptiveManagement/TechGuide/openingpgs.pdf>)).

As new research, national or state management guidance, population or habitat data, or other pertinent GUSG information becomes available, recommended management of GUSG in Colorado should be adjusted accordingly. All recommended management applications will continue to be implemented via NEPA analysis. The success in implementation and effectiveness of this management direction will be reviewed to determine if GUSG resource objectives are being met. This review will be in coordination with the FWS, CPW and other agencies through the GUSG RSC. As RMPs are amended or revised with sufficient local

population guidance, those conservation measures and management constraints will be reviewed for effectiveness as described above.

Alternatively, where specific GUSG or habitat objectives have been set, the BLM will use monitoring data to determine the effectiveness of existing management actions in meeting those objectives. If not deemed effective, management prescriptions should be adjusted to meet identified resource objectives.

**Timeframe:** This IM is effective immediately.

**Budget Impact:** This IM will result in additional operational costs for coordination, NEPA review and monitoring of all activities in GUSG habitats in Colorado. In addition, full implementation of this IM including restoration efforts, response to climate change indicators, and adaptive management may require significant funding.

**Background:** Since 1999, the GUSG has been petitioned and reviewed for listing under ESA several times. The FWS issued a 12-month finding on September 27, 2010, (75 FR 59804), and determined that GUSG warranted protection under the ESA, but that proposing the species for protection would be delayed while the FWS addressed the needs of other higher priority species. On January 11, 2013, the FWS proposed GUSG as endangered, and concurrently proposed the designation of approximately 1.7 million acres of critical habitat, under ESA, as amended (78 FR 2486; 78 FR 2540).

GUSG occur in seven isolated populations, one of which is connected to a GUSG population in Utah. Strongholds (loosely defined in this IM as larger self-sustaining populations) for GUSG in Colorado occur in Gunnison Basin. However, it is important to maintain existing ‘satellite’ populations and/or current distribution throughout the state, where more than 90 percent of the estimated range-wide population of GUSG occurs within Colorado. Local GUSG workgroups have been established for six of the seven populations and are engaged in management of the species to varying degrees depending on land ownership and local involvement. Threats to these species vary by population in the state, and are articulated in their respective Conservation Plans (RCP 2005).

As a land manager of GUSG habitat in the state, it is imperative that the BLM conserve sagebrush communities to support sustainable GUSG populations in Colorado and maintain or improve connectivity of habitat within and between existing populations, where appropriate. However, successful management of GUSG will require cooperation from private, state and federal land owners and managers to address the wide range of land uses in Colorado that intersect with GUSG habitat. For instance, while the BLM is a primary land manager of GUSG habitat in the state, between 80-90 percent of all oil and gas drilling activity statewide occurs on private, county, or state lands, with no federal nexus. Only by finding ways to work across landscapes that transcend ownership boundaries will federal, state, and private land owners and managers achieve substantial and measurable conservation of sagebrush communities and sustainable GUSG populations.

**Directives Affected:** A BLM Colorado Handbook Supplement will incorporate the new policy and guidance.

**Coordination:** This IM was coordinated with BLM Colorado FOs, CO-930 and CO-920 Divisions, BLM WO, BLM NIFC, CPW and FWS.

**Contact:** Robin Sell, Conservation Biologist, at (303) 239-3723, or Leigh Espy, Deputy State Director, Division of Resources and Fire Management, at (303) 239-3801.

Signed by:  
Helen M. Hankins  
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Authenticated by:  
Carl P. Guerette  
Branch of IRM & Access

2 Attachments:

- 1 - COGCC MOU (9 pp)
- 2 - FWS Guidance for Endangered Species Act Conferencing for GUSG (1 p)

cc: Shelley Smith, Utah State Office, UT-930  
Steve Small, Washington Office, WO-230